IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 422 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE KUNDAN SINGH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

FARUQ USMANGANI MEMAN CONVICT PRISONER NO. 73411

Versus

STATE OF GUJARAT

Appearance:

1. Special Criminal Application No. 422 of 2003

MS SUBHADRA G PATEL for Petitioner No. 1

MR RM CHAUHAN APP for Respondents

CORAM : MR.JUSTICE KUNDAN SINGH

Date of decision: 01/05/2003

ORAL JUDGEMENT

1. Leave to amend is granted. Rule. Mr. R.M. Chauhan learned A.P.P. appears and waives service of

notice of Rule on behalf of the respondents. Heard the learned counsel for the parties.

2. This is an application preferred by the petitioner for grant of parole leave for a period of 60 days on the ground that the daughter of the petitioner is seriously ill and she is required to be operated.

3. Learned counsel for the petitioner submitted that for this purpose the mother of the petitioner has moved an application to the District Magistrate, Vadodara on 16-4-2003 and the same has yet not been decided and is still pending before him. She further submitted that the District Magistrate, Vadodara may be directed to decide the said application in accordance with law within stipulated time.

4. In the facts and circumstances of the case and considering the submissions made by the learned counsel for the parties as well as the material on record, this petition is being disposed with a direction to the District Magistrate, Vadodara to consider and decide the application dated 16-4-2003 moved by the mother of the petitioner in accordance with law, within a period of one week from the date of presentation of a certified copy of this order. Rule is made absolute. D.S. is permitted.

(Kundan Singh, J.)

/JVSatwara/